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8 Attorney for Defendant
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FILED

JUN 25 2014

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 CHASE MCMILLON, AARON BROWN,
17 and DEMARRIE FOSTER,
18 Defendants.

No. 4-14-70823

STIPULATION AND ~~Proposed~~ ORDER

19 The Court has set the following hearing dates for the respective defendants: Defendant
20 McMillon is set for June 24, 2014 for detention; Defendant Foster is set for June 26, 2014 for
21 appointment of counsel; and Defendant Brown is set for July 1, 2014 for status on detention and for
22 preliminary hearing or arraignment. The parties have discussed the matter. Defendant Foster wishes to
23 maintain the June 26, 2014 court date. Defendant Brown wishes to continue the July 1, 2014 date for
24 status on detention until July 9, 2014, and all the parties wish to stipulate to set the preliminary hearing
25 or arraignment for July 9, 2014 at 9:30 a.m., with the anticipation that by that time an indictment will
26 have been returned. The parties also request that the Court extend the time limits provided by Federal
27 Rule of Criminal Procedure 5.1(c).

28 Pursuant to Rule 5.1(d), the defendants and the government consent to the extension of time, and
the parties represent that good cause exists for this extension, including the effective preparation of
counsel. See 18 U.S.C. § 3161(h)(7)(B)(iv). For the same reasons, the parties also request that the

Court exclude from the time limits of 18 U.S.C. § 3161 the period from the date of this order to July 9, 2014. The parties also agree that the ends of justice served by granting such an exclusion of time outweigh the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

IT IS SO STIPULATED.

Dated: June 24, 2014

Melinda Haag
United States Attorney

/S/

Damali A. Taylor
Assistant United States Attorney

Dated: June 24, 2014

/S/

Mark R. Vermeulen
Attorney for Defendant CHASE MCMILLON

Dated: June 24, 2014

/S/

John Paul Reichmuth
Attorney for Defendant AARON BROWN

Dated: June 24, 2014

/S/

James Phillip Vaughns
Attorney for Defendant DEMARRIE FOSTER

ORDER

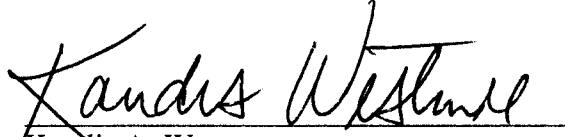
For the reasons stated above, the Court maintains the currently set individual hearing dates set forth above. The Court also sets July 9, 2014 at 9:30 a.m. as the date for the arraignment or preliminary hearing. The Court also continues Defendant Brown's July 1, 2014 date for status on detention until July 9, 2014. The Court finds that an extension of time limits applicable under Federal Rule of Criminal Procedure 5.1(c) from the date of this order through July 9, 2014 is warranted; that exclusion of this period from the time limits applicable under 18 U.S.C. § 3161 is warranted; that the ends of justice served by the continuance outweigh the interests of the public and the defendant in the prompt disposition of this criminal case; and that the failure to grant the requested exclusion of time would deny

1 counsel for the defendant and for the government the reasonable time necessary for effective preparation
2 of counsel, taking into account the exercise of due diligence, and would result in a miscarriage of justice.

3 18 U.S.C. § 3161(h)(7)(B)(iv).

4 IT IS SO ORDERED.

5 Dated: June 25, 2014


Kandis A. Westmore
United States Magistrate Judge